

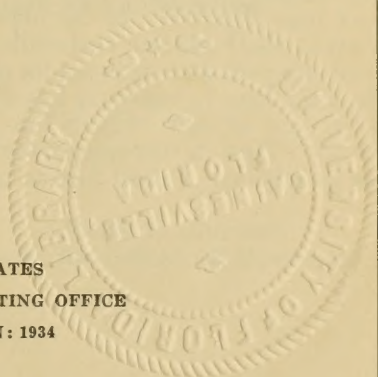
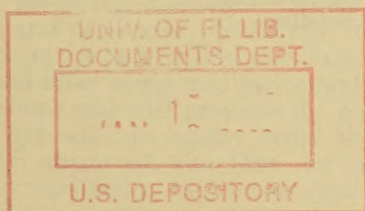
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

RETAIL LUMBER, LUMBER PRODUCTS,
BUILDING MATERIALS, AND BUILDING
SPECIALTIES INDUSTRY

AS APPROVED ON JANUARY 12, 1934



UNITED STATES
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CODE OF FAIR COMPETITION

FOR THE

**RETAIL LUMBER, LUMBER PRODUCTS, BUILDING
MATERIALS, AND BUILDING
SPECIALTIES INDUSTRY**

As Approved on January 12, 1934

ORDER

**APPROVING MODIFICATION OF CODE OF FAIR
COMPETITION**

FOR THE

**RETAIL LUMBER, LUMBER PRODUCTS, BUILDING
MATERIALS, AND BUILDING SPECIALTIES
INDUSTRY**

An application having been duly made pursuant to and in full compliance with the provisions of Title I, of the National Industrial Recovery Act, approved June 16, 1933, for approval of modification of the Code of Fair Competition for the Retail Lumber, Lumber Products, Building Materials, and Building Specialties Industry, and hearings having been duly held thereon and the annexed report on said modification, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference, said annexed report and do find that said modification and the Code as constituted after being modified comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said modification be and it is hereby, approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as modified.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval Recommended:

MALCOLM MUIR,
Division Administrator.

WASHINGTON, D.C.,
January 12, 1934.

The PRESIDENT,

The White House.

SIR: A Code of Fair Competition for the Retail Lumber, Lumber Products, Building Materials and Building Specialties Industry was approved by you on October 3 and became effective on October 13, 1933.

In accordance with the provisions of your Executive Order, dated July 15, 1933, hearings have been granted by me to applicants, who alleged that they were directly affected by the provisions of Article VIII, Section 2, Subsection A of said Code, and who claimed that application thereof was unjust to them and who applied for modifications thereof.

In full accordance with the provisions outlined in Article IX, Section 6 of the aforesaid Code for the Retail Lumber, Lumber Products, Building Materials and Building Specialties Industry, the Code Authority, an Agency established in accordance with the provisions contained in Article VII, Section 1 of said Code, made application for modifications of said Article VIII, Section 2, Subsection A.

Article VIII, Section 2, Subsection A of said Code as it appears in the approved Code of October 3 permits the establishment of prices, terms and conditions of sale within any trade area by rule or regulation adopted by the appropriate agency within such trade area in accordance with the provisions of Article VII, Section 1, Paragraph 2 of said Code. Article VIII, Section 2, Subsection A if revised or amended as is proposed by the suggested modifications thereof will prohibit the establishment of prices, terms, and conditions of sale within a trade area adopted by rule or regulation of any agency within said trade area.

The Deputy Administrator in his final report to me on said modification of said Code having found as herein set forth and on the basis of all the proceedings in this matter:

I find that:

(a) The modification of said Code and the Code as modified are well designed to promote the policies and purposes of Title I of The National Industrial Recovery Act, including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving

unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as modified complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid modification on behalf of the industry as a whole.

(d) The modification and the Code as modified are not designed to and will not permit monopolies or monopolistic practices.

(e) The modification and the Code as modified are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

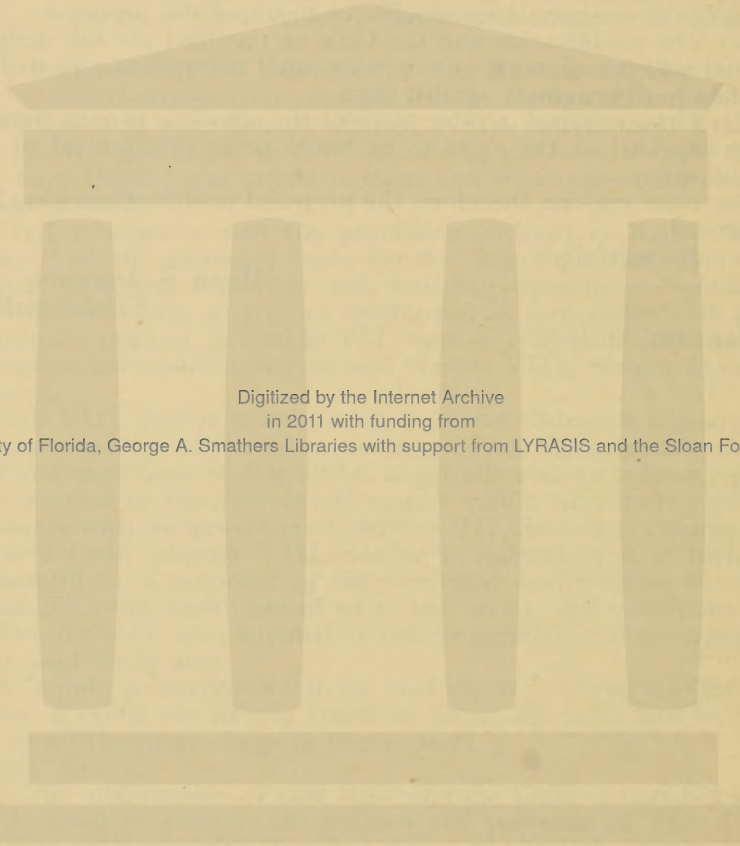
(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said modification.

For these reasons, therefore, the proposed modifications have been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

JANUARY 12, 1934.



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AMENDMENT TO THE CODE OF FAIR COMPETITION

FOR THE

RETAIL LUMBER, LUMBER PRODUCTS, BUILDING MATERIALS, AND BUILDING SPECIALTIES INDUSTRY

Subsection A, Section 2, Article VIII shall be amended to read as follows:

“2. *Conditions of Sale—Estimates and Quotations.*—A. Within ten (10) days after notice from the Code Authority, or its duly authorized Agency, each dealer shall file with the Code Authority, or such duly authorized Agency as it may designate, and publish his prices individually prepared by him but in no event at less than the prices computed pursuant to the provisions of Section 8 of this Article and any rules and regulations duly issued in relation thereto, terms and conditions of sale; thereafter, no dealer shall quote, sell, or offer to sell any product on such terms and conditions, or at such prices as will result in the purchaser paying therefor prices different from those noted in such dealer's price list, or on terms and conditions of sale other than the terms and conditions of sale previously filed by such dealer with the Code Authority, in accordance with the provisions of this Article and in effect at the time of such sale.”

Approved Code No. 33—Amendment No. 1.
Registry No. 313-04.

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